

**TOWN OF MOUNT PLEASANT  
CODE OF ORDINANCES**

**PART 3: PUBLIC SAFETY**

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**CHAPTER 1: LAW ENFORCEMENT**

**Section 3-1.1 Police Protection**

Police protection for the Town shall be provided by the Cabarrus County Sheriff's Department. The Town Board shall determine the level of police protection necessary through agreement with the County Sheriff.

**CHAPTER 2: FIRE PREVENTION**

**Section 3-2.1 In General**

No person shall empty hot ashes on or near any sweepings, shavings, or inflammable materials of any within the town limits.

**Section 3-2.2 Adoption of Fire Prevention Code**

- A. There is hereby adopted, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion the North Carolina Building Code, Fire Prevention Code (Current Edition) and amendments. A copy of such code is on file at the Town Hall and such code is hereby incorporated in this chapter as fully as if set out verbatim in this section. The provisions of such code shall be controlling within the limits of the Town and enforced by the Cabarrus County Fire Marshal's Office.
- B. Cabarrus County Fire Services conducts building and site plan reviews to ensure Compliance with the Fire Prevention Code for commercial and residential developments in the Town of Mount Pleasant, its extraterritorial jurisdiction, and in unincorporated areas of the County.

**Section 3-2.3 Violations**

Unless otherwise specified any violation of the Chapter shall be subject to the penalties set forth in Section 1.1-5. The application of the penalty set out in this section shall not be held to prevent the enforced removal of prohibited conditions.

**Section 3-2.4 Fire Limits**

- A. In accordance with NCGS 160D-1128, no frame or wooden building or structure or addition thereto shall hereafter be erected, altered, repaired, or moved, either into the limits or from one place to another within the limits, except upon the permit of the local inspection department approved by the governing board and by the Commissioner of Insurance or the Commissioner's designee.
- B. The following described territory shall be the primary fire limits of the Town. A map of this area shall be kept on file at Town Hall:
  - 1. Beginning at a point on intersection of the Public Right of Ways for Barringer Drive and South Main Street; thence
  - 2. Crossing South Main Street northeast to a point to the common corner of PIN: 5670223913 and PIN: 5670223798; thence
  - 3. Running along the common line of PIN: 5670223913 and PIN: 5670223798 to a point at the common corner of PIN: 5670223913 and PIN: 5670223798; thence
  - 4. Running northeast along the common property line of PIN: 5670223798, PIN 5670225818 and 5670223913 to a point at the common corner of PIN: 5670223913, PIN: 5670225818 and PIN: 5670224987; thence

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5. Running westward along the common property lines of PIN: 5670223913, PIN: 5670224978 and PIN: 5670234013 to a point at the common corner of PIN: 5670223913, PIN: 5670234013 and PIN: 5670232181, thence
6. Running northeast along the common property line of PIN: 5670232181 and PIN: 5670234013, thence
7. Crossing East Franklin Street northwest to a point at the common corner of PIN: 5670233207 and PIN: 5670235213; thence
8. Running northeast along the common property line of PIN: 5670233207, PIN: 5670233316 and PIN: 5670235213 to the common corner of PIN: 5670235213, PIN: 5670233316 and the north side of an unnamed public alleyway, thence
9. Running westward along the common line of PIN: PIN: 5670233435 and the northside of the public right of way to a point at the common corner of PIN: 5670232482 and PIN: 5670233435; thence
10. Running northward approximately 21 feet to the common corner of PIN: 5670233435; thence
11. Running westward along the common line of PIN: 5670233435 and PIN: 5670232482 at the common corner of PIN: 5670233435, PIN: 5670232482 and the east side Public Right of Way for North Main Street; thence
12. Crossing North Main Street to a common corner of PIN: 5670231546, PIN 5670231727 and the west side of the Public Right of Way for North Main Street; thence
13. Running westward along the common property lines of PIN: 5670231456 and PIN: 5670231646 to the common corners of PIN: 5670231456, PIN: 5670231646 and PIN: 5670230549; thence
14. Running northwest along the common property lines of PIN: 560231546, PIN: 5670230465, PIN: 5670230511, PIN: 5670230619, and PIN: 5670139537 to the common corner of PIN: 5670139537, PIN: 5670230549 and PIN: 5670138687; thence
15. Running northeast along the common property lines of PIN: 5670138687, PIN: 5670230619, and PIN: 5670231727 to the common corner of PIN: 5670138687, PIN: 5670231727 and PIN: 5670139899; thence
16. Running northwest along the common property lines of PIN: 5670138687, PIN: 5670139899, PIN: 5670138864, PIN: 5670148071, and PIN: 5670138904 to a common corner of PIN: 5670138664, PIN 5670137813, and PIN: 5670138904; thence
17. Running southwest along the common property lines of PIN: 5670137813, PIN: 5670138864, and PIN 5670138704 to a common corner of PIN: 5670137813 and PIN: 5670138704; thence
18. Crossing West Franklin Street to the common corner of PIN: 5670136517 and PIN: 5670136357; thence

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19. Running Southwest to a point approximately 212 feet along the common property lines of PIN: 5670136517 and PIN: 5670136357; thence
20. Running in a southeasterly direction to the common corner of PIN: 5670136357 and PIN: 5670138359; thence
21. Continuing in a southwesterly direction along the common property lines of PIN: 5670136357, PIN: 5670138359, PIN: 5670139305, and PIN 5670139350 to the common corner of PIN: 5670136357, PIN5670139350, PIN: 5670230330, and PIN: 5670230107; thence
22. Running in a southerly direction to the common corner of PIN: 5670136357, PIN: 5670230107, and PIN: 5670138099; thence
23. Running in an easterly along the common property lines of PIN: 5670230107 and PIN: 5670138099 to the common corner of PIN: 5670230107, PIN: 5670138099 and PIN: 560220979; thence
24. Running in a southerly direction along the common property lines of PIN: 5670138099, PIN: 5670220979, PIN: 5670139024, and PIN: 5670129901, to the point of intersection of the north side of the Public Right of Way of Barringer Drive; thence
25. Running along the along the north side public right-of-way of Barringer Drive to the Point of Beginning.

#### **Section 3-2.5 Fireworks and Pyrotechnics**

A person or organization desiring to use pyrotechnics ("applicant") to conduct public exhibitions such as fairs, carnivals, shows of all descriptions and public celebrations as set forth in N.C.G.S. 14-413 shall first obtain a permit. An application requesting said permit must be filed at least 30 days before the event with the Cabarrus County Fire Marshal's Office and the Town Manager. Before a permit is issued the applicant shall file with the Town a corporate surety bond in the principal sum of one million dollars (\$1,000,000) or public liability insurance policy for the same amount. The fire code official has the authority to specify a greater or lesser amount when in their opinion, conditions at the location of us indicate a lesser amount is required.

#### **Section 3-2.6 Key Lock Box**

- A. A key box shall be installed on all construction where a fire alarm system and/or a sprinkler system has been installed, on access gates where access is delayed and on any other occupancy where the fire official deems necessary access is delayed or a delay occurs when returning fire apparatus back to service.
- B. The key box shall be located on the exterior of a structure, at or near the main entrance, at an entrance adjacent to the sprinkler riser where one is present, or at another location where approved by the fire official. Key box shall be installed no less than four (4) feet and no more than six (6) feet above entrance grade and shall be horizontally within five (5) feet of the opening.

### Section 3-2.7 Open Burning

#### A. Definitions

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Open burning. the burning of any matter in such a manner that the products of combustion resulting from the burning are emitted directly into the atmosphere without passing through a chimney, or a permitted air pollution control device.

Pile. a quantity of objects or materials stacked or thrown together in a heap, three (3) feet or less in diameter and two (2) feet or less in height.

Stack. Usually a conical-shaped pile of debris or material, three (3) feet or less in diameter and two (2) feet or less in height.

#### B. Prohibited acts

No person shall ignite, cause to be ignited, permit to be ignited, allow, or maintain, kindle or maintain within the corporate limits of the Town any open burning fire.

#### C. Exceptions

Exceptions shall include only the following:

1. Training fires set for the purpose of instruction and training of public and industrial employees in the methods of firefighting. Prior to commencement of open burning, the fire department shall be notified. All open burning for this purpose shall meet the requirements of all state regulations.
2. Open fires for cooking, heating, religious and ceremonial fires shall be allowed when such fire is not composed, in whole or substantial part, of leaves or yard waste, and the location of such fire, and the items necessary for its containment, and provided that the emission of smoke and fumes do not irritate, annoy or constitute a nuisance to others. Such fires shall be conducted in accordance with the North Carolina Fire Code, be contained in a campfire pit meeting the requirements of pile and/or stack, confined to a container no larger than a 55-gallon drum or other device designed for such use. Fuels for such fires must be naturally cut wood, charcoal, propane or natural gas; no construction materials or building materials shall be permitted.
3. At the sole discretion of the Fire Code Official, when there exists an extreme or emergency circumstance which lacks any other reasonable means of disposing of items which need to be disposed of, and not addressed in this section, the Fire Code Official may issue a permit to burn. These fires shall be limited to the disposal by a government entity of material generated during a natural disaster, such as tornado, hurricane, or flood.

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4. At the approval of the Fire Code Official, fires set as part commercial film or video production activities for motion pictures and television, or fires set as part of a planned civic event designed to educate or otherwise benefit the public:
  - a. The use of fireworks, pyrotechnic or flame effect devices used in conjunction with or to initiate such fires shall meet the following codes and standards:
    - i. NFPA 160—Standard for flame effects before an audience.
    - ii. NFPA 1123—Code for fireworks display.
    - iii. NFPA 1126—Standard for the use of pyrotechnics before a proximate audience.
    - iv. North Carolina State Building Fire Code Chapter 56.5 North Carolina General Statute Chapter 58 Article 82A—Pyrotechnics Training and Permitting.
  - b. Any person seeking to conduct a fire for such reasons shall obtain a permit and submit a plan in writing to the fire department at least 15 working days prior to the burn with the following information:
    - i. The name of the person, group, or organization responsible for the production.
    - ii. If applicable, state pyrotechnic display operator license card/certificate of the individuals to discharge pyrotechnics.
    - iii. The date and time of the production.
    - iv. The location of the production.
    - v. The duration of the burn.
    - vi. A narrative description of the burn.
    - vii. A site plan showing the following:
      - The location of the audience
      - The area affected by the burn
      - Means of egress
      - Fire protection features and locations

**D. Violations and enforcement**

1. The County Fire Marshal shall have the authority to summarily abate any condition that is in violation of this section and that presents an immediate fire hazard to life or property.
2. Any open burning in violation of this Section shall be extinguished by the responsible party or the fire department.
3. All costs incurred by the Town for enforcement of this section will be the responsibility of the party in violation of this section and will be added to the fine.
4. A civil fine shall be issued in accordance with Section 1-1.5 to any person violating the provisions of this section. The civil fine for commercial violations of this section shall be \$500.00 per stack or pile and \$1,000.00 per stack or pile for any repeat violation by the same person or company.



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5. Violations of this section shall be a misdemeanor as provided under N.C.G.S. 160A-175 and 14-4. Each day's continuing violation shall constitute a separate and distinct offense as provided by N.C.G.S. 160A-175(g).

**Section 3-2.8 False Alarms**

Alarm system operational reliability and properly use alarm systems and to reduce or eliminate false alarm dispatch requests is provided for in Cabarrus County Ordinance Article IV – Alarms Responded to by Emergency Response Agencies Section 26-81 through 26-98.

**Section 3-2.9 Fire Lanes**

- A. Fire lanes shall be designated at all locations within the authority and jurisdiction of the Town in accordance with the North Carolina Fire Code and as approved by the Fire Marshal.
- B. Fire lanes installed shall conform to the requirements of the North Carolina Fire Code and shall be approved by the fire code official prior to installation.
- C. Fire lanes shall be installed in accordance with the specifications on file at the Cabarrus County Fire Marshal's office.
- D. Roadways, driveways and access ways shall not be marked as fire lanes without first obtaining approval from the Fire Marshal. Detailed plans showing the location of the lanes may be required to determine whether or not any proposed markings meet specifications established and on file at the Fire Marshal's office.

**Section 3-2.10 Fire Lane Signs and Markings**

- A. All fire lanes and access roads must be marked with signs indicating "no parking fire lane" as described in the specifications on file at the Fire Marshal's office.
- B. Existing non-compliant fire lanes shall continue in effect as installed until such time as they are in need of re-stripping due to wear or re-paving. When re-stripped, existing fire lanes shall be installed to current specifications.

**Section 3-2.11 Water Supply for Fire Suppression**

- A. Required Fire Flow  
Fire flow requirements for new occupancies and additions shall be determined by utilizing one of the following approved methods:
  1. ISO — Guide for the Determination of Needed Fire Flow.
  2. North Carolina Fire Code Appendix B.
- B. Fire Hydrants  
Fire hydrant coverage shall not exceed the limits established in Chapter 5 and Appendix C of the North Carolina Fire Code to the most remote point of any building covered by the state fire code. The distance shall be measured along an approved path of travel for the fire apparatus.

C. Modification of Distance Requirements

Where warranted, the fire official shall have the authority to modify the distance requirements in subsection (b) based on the nature, construction, and square footage of the occupancy.

D. Hydrant Testing

The Fire Chief shall have all fire hydrants tested at least once a year and shall notify the Water Superintendent in writing of any hydrants that are not in good working order.

**Section 3-2.12 Congregating in streets; interference with the work of the Fire Department**

It shall be unlawful for persons to congregate in the streets, lanes, alleys or squares next to a fire, so as to interfere with the work of the fire department, or for any person to interfere with any member of the fire department or to obstruct the work of the fire department, in any way, at or during a fire or while answering an alarm of fire. A violation this Section shall subject the offender to a civil fine as set forth in Section 1-1.5. and shall constitute a class 3 misdemeanor, as provided by N.C.G.S. 14-4.

**Section 3-2.13 Boarding apparatus going to or coming from fires**

It shall be unlawful for any person, not a member of the fire department, to board any fire engine, truck or other fire apparatus en route to or from any fire, without permission of the chief of the fire department. A violation this Section shall subject the offender to a civil fine as set forth in Section 1-1.5. and shall constitute a class 3 misdemeanor, as provided by N.C.G.S. 14-4.

## **CHAPTER 3: FIRE DEPARTMENT**

### **Section 3-3.1 Organization**

The Fire Department shall consist of the Chief of the Fire Department, as appointed by the Town Manager, and a sufficient number of firemen (voluntary, part or full time) to maintain and operate the department.

### **Section 3-3.2 Membership of Department**

- A. The members shall not be less than 18 years of age.
- B. There shall be three (3) classifications of Fire Department membership: paid, volunteer, and junior volunteer.
  - a. Paid membership has no residency requirements. However, paid members shall not respond to emergency calls when off-duty unless called back to duty by the Fire Chief or designee and be paid their normal hourly rate.
  - b. Volunteer members shall reside in either the Town limits, in Mount Pleasant Rural Fire District, or within one (1) mile of the Fire District.
  - c. Junior members, in accordance with the adopted Junior Program Guidelines.

### **Section 3-3.3 Duties of the Fire Chief**

The Fire Chief or designee, subject to supervision of the Town Manager, shall preserve and care for fire apparatus and equipment, have charge of fighting and extinguishing fires and training the Fire Department shall work with the Fire Code Official to seek out and have corrected all places and conditions dangerous to the safety of the Town and its citizens from fire, provide public education on fire and life safety concerns and make annual reports to the Town Manager concerning these duties. If these duties include state building code enforcement, they shall follow the provisions as defined in N.C.G.S. 143-151.13.

### **Section 3-3.4 General Authority at Fires**

- A. The Fire Chief, Fire Code Official, or designee shall investigate the origins of all fires as required by N.C.G.S. 58-79-1 and shall make an annual report on all fires to the Town Board of Commissioners.
- B. The Fire Chief shall obtain a criminal history record check of any person who applies for a paid or volunteer position with the Fire Department. The criminal history record check shall be conducted and evaluated as provided in N.C.G.S. 143B-943.

## CHAPTER 4: CIVIL PREPAREDNESS AND EMERGENCIES

### Section 3-4.1 State of Emergency

- A. A state of emergency shall be deemed to exist whenever during times of public crisis, disaster, rioting, catastrophe, or similar public emergency, for any reason, public safety authorities are unable to maintain public order or afford adequate protection for lives, safety, or property, or whenever the occurrence of any such condition is imminent.
- B. In the event of an existing or threatened state of emergency endangering the lives, safety, health and welfare of the people within the Town of Mount Pleasant or any part thereof or threatening damages to or destruction of property, the Mayor is hereby authorized and empowered under N.C.G.S. 166A-19.22 to issue a public proclamation declaring to all persons the existence of such a state of emergency and, in order to more effectively protect the lives and property of people within the Town, to place in effect any or all of the restrictions hereinafter authorized. The Town Manager or designee shall fully utilize all available emergency service and management agencies and coordinators.
- C. The Mayor is hereby authorized and empowered to limit by the proclamation the application of all or any part of such restrictions to any area specifically designated or described within the corporate limits of the Town and to specific hours of the day or night; and to exempt from all or any part of such restrictions, while acting in the line of and within the scope of their respective duties, law enforcement officers, firefighters and other public employees, doctors, nurses, employees of hospitals and other medical facilities; on-duty military personnel, whether State or Federal; on-duty employees of public utilities, public transportation companies and newspaper, magazine, radio broadcasting and television broadcasting corporations operated for profit; and such other classes of persons as may be essential to the preservation of public order and immediately necessary to serve the safety, health and welfare needs of people within the Town.

### Section 3-4.2 Proclamation imposing prohibitions and restrictions

- A. The Mayor by proclamation may impose the prohibitions and restrictions specified in Sections 3-4.3 through 3-4.8 of the Chapter in the manner described in these sections. The Mayor may impose as many of those specified prohibitions and restrictions as it finds necessary because of an emergency to maintain an acceptable level of public order and services and to protect lives, safety and property. The mayor or the town council shall recite the findings in the proclamation.
- B. The proclamation shall be in writing. The Town Board of Commissioners shall take reasonable steps to give notice of the terms of the proclamation to those affected by it and shall post a copy of it on the Town website and Town Hall. A signed copy and notice of the declaration shall be submitted to the Department of Public Safety (WebEOC), Cabarrus County Sheriff's Office, and Cabarrus County District Attorney. The Town Clerk shall send reports of the substance of the proclamation to the mass communications media which serve the affected area. The Town Clerk shall retain a text of the proclamation and furnish upon request certified copies of it.
- C. Whenever a State of Emergency is declared by the Mayor, the Town Attorney shall prepare a resolution ratifying the existence of a State of Emergency and the need for continuing the State of Emergency.

**Section 3-4.3 Evacuation**

Under a declared state of emergency, the Town Manager or designee may direct and compel the voluntary or mandatory evacuation of all or part of the population of the Town; to prescribe routes, modes of transportation and destination in connection with evacuation; and to control ingress and egress of a disaster area, the movement of or amended in a subsequent proclamation which shall be well publicized.

**Section 3-4.4 Curfew**

- A. The proclamation may impose a curfew prohibiting in certain areas and during certain periods the appearance in public of anyone who is not a member of an exempted class. The proclamation shall specify the geographical area or areas and the period during each twenty-four (24) hour day to which the curfew applies. The Mayor may exempt from some or all of the curfew restrictions classes of people whose exemption is necessary for the preservation of public health, safety and welfare. The proclamation shall state the exempted classes and the restrictions from which each is exempted.
- B. Unless otherwise specified in the proclamation, the curfew shall apply during the specified period each day until the Mayor by proclamation removes the curfew.

**Section 3-4.5 Restrictions on possession, consumption, or transfer of alcoholic beverages**

The proclamation may prohibit the possession or consumption of any alcoholic beverage, including beer, wine, and spirituous liquor, other than on one's own premises and may prohibit the transfer, transportation, sale or purchase of any alcoholic beverage within the area of the Town described in the proclamation. The prohibition, if imposed, may apply to transfer of alcoholic beverages by employees of alcoholic beverage control stores as well as by anyone else within the geographical area described.

**Section 3-4.6 Restriction on possession, transportation and transfer of dangerous weapons and substances**

- A. The proclamation may prohibit the transportation or possession of one's own premises or the sale or purchase of any dangerous weapon or substance. The Mayor may exempt from some or all of the restriction's classes of people whose possession, transfer or transportation of certain dangerous weapons or substances is necessary to the preservation of the public's health, safety or welfare. The proclamation shall state the exempted classes and the restrictions from which each is exempted.
- B. "Dangerous weapon or substance" means:
  - 1. Any item described as a "Dangerous weapon or substance" as defined in N.C.G.S. 14-288.1.
  - 2. Any other instrument or substance that is capable of being used to inflict serious bodily injury or destruction of property when the circumstances indicate that there is some probability that such instrument or substance will be so used.
  - 3. Any part or ingredient in any instrument or substance included above when the circumstances indicate a probability that such a part or ingredient will be so used.

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- 4. Except that this Article does not authorize prohibitions or restrictions on lawfully possessed firearms or ammunition. As used in this article, "firearm" has the same meaning as it does under N.C.G.S. 14-409.39(2).
- C. If imposed, the restrictions shall apply throughout the jurisdiction of the Town, or such part thereof as designated in the proclamation.

**Section 3-4.7 Restriction on access to areas**

- A. The proclamation may prohibit obtaining access or attempting to obtain access to any area designated in the manner described in this section in violation of any order, clearly posted notice or barricade indicating that access is denied or restricted.
- B. Areas to which access is denied or restricted shall be designated by the Cabarrus County Sheriff, subordinates, or other law enforcement officer when directed in the proclamation to do so by the Mayor. When acting under this authority, the Cabarrus County Sheriff and subordinates may restrict or deny access to any area, street, highway, or location within the Town if that restriction or denial of access or use is reasonably necessary to promote efforts being made to overcome the emergency or to prevent further aggravation of the emergency.

**Section 3-4.8 Activities, etc., prohibited, or restricted**

The following activities or conditions may be prohibited or restricted:

- A. Movements of people in public places.
- B. The operation of offices, business establishments and other places to or from which people may travel or at which they may congregate; and
- C. Other activities or conditions the control of which may be reasonably necessary to maintain order and protect lives or property during the state of emergency within the area designated in the proclamation.

**Section 3-4.9 Removal of prohibitions and restrictions**

The Mayor shall by proclamation terminate the entire declaration of emergency or remove any of the prohibitions and restrictions when the emergency no longer requires them.

**Section 3-4.10 Superseding and amending proclamations**

The Mayor, in its discretion, may invoke the restrictions authorized by this Chapter in separate proclamations and may amend any proclamation by means of a superseding proclamation in accordance with the procedures set forth in Section 3-4.2.

**Section 3-4.11 Termination of proclamation**

Any proclamation issued under this Chapter shall expire five (5) days after its last imposition unless sooner terminated in writing under the same procedures set forth in section 3-4.2 for proclamations or unless extended for a longer time period by a vote of the Town Board of Commissioners.

**Section 3-4.12 Penalty for violation**

Pursuant to N.C.G.S. 14-4, any person violating any prohibition or restriction imposed by a proclamation authorized by this Chapter shall be guilty of a class 3 misdemeanor with a maximum fine of \$50.00.

**Section 3-4.13 Territorial applicability**

This Chapter shall apply within the corporate limits of the Town or within the area of County over which the town has jurisdiction to enact general police power ordinances.

**Section 3-4.14 Emergency Operations Manual**

Incorporated herein, by reference, is the Emergency Operations Manual to be utilized during the declaration of a state of emergency. Copies of the manual shall be kept on file at the Town Hall and Fire Department.

## CHAPTER 5: EMERGENCY INTERIM SUCCESSION

### Section 3-5.1 Designation of Successors

- A. The Town Manager shall designate for appointive officers, including the Town Manager, Assistant Town Manager, Town Attorney Town Clerk, Finance Officer, Fire Chief, Emergency Management Officer, Planning Director, Public Works Director, and Water Plan Supervisor emergency interim successors to these officers as specified in the *Continuity of Operations Plan* kept on file at Town Hall and the Fire Department.
- B. The Town Manager shall review and, as necessary, promptly revise the designations of emergency interim successors to always ensure that there is a qualified emergency interim successor for each officer specified.

### Section 3-5.2 Qualifications of Successors

No person shall be designated or serve as an emergency interim successor unless they may under the constitution and statutes of this State and the charter or ordinances of this Town, hold the office of the person to whose powers and duties they are designated to succeed, but no provision of any ordinance prohibiting an officer or employee of this Town from holding another office shall be applicable to an emergency interim successor.

### Section 3-5.3 Status of emergency interim successor

A person designated as an emergency interim successor holds that designation at the pleasure of the designator; provided that they must be replaced if removed. They retain their designation as emergency interim successor until replaced by another appointed by the authorized designator.

### Section 3-5.4 Assumption of powers and duties of officer by emergency interim successor

If in the event of a disaster any officer named in succession is unavailable, their emergency interim successor shall, except for the powers and duty to appoint emergency interim successors, exercise the powers and discharge the duties of such officer. An emergency interim successor shall exercise these powers and discharge these duties only until such time as the lawful incumbent officer or an emergency interim successor higher in rank in order of succession exercises, or resumes the exercise of, the powers and discharge of the duties of the office, or until, where an actual vacancy exists, a successor is appointed to fill such vacancy or is elected and qualified as provided by law. In the event of a disaster, or warning of impending attack, or if an emergency is duly declared by the proper state authorities, it shall be the duty of the Town Manager to give or attempt to give notice to all emergency interim successors. It shall be the duty of all emergency interim successors to report to the location of the Town government as soon as they have knowledge of a disaster or impending attack, regardless of whether notice is received from the Town Manager.

### Section 3-5.5 Recording and publication

The name and address of each duly authorized emergency interim successor shall be filed with the Town Clerk and each designation, replacement, or change in order of succession of an emergency interim successor shall become effective when the designator files with the Town Clerk the successor's name, address, and rank in order of succession. The Town Clerk shall keep on file all such data regarding emergency interim successors and it shall be open to public inspection.



## CHAPTER 6: EMERGENCY MANAGEMENT

### Section 3-6.1 Intent and Scope of Chapter

The Town's emergency management function is created to provide coordination, management and direction of all Town emergency preparedness and response activities. The purpose of this Chapter is to set forth the Town's authority as set forth in N.C.G.S. 166A-19.15 and responsibility in prevention of, preparation for, response to and recovery from natural or manmade disasters and to:

- A. Reduce vulnerability of people and property of this Town to damage, injury, and loss of life and property.
- B. Prepare for prompt and efficient rescue, care and treatment of threatened or affected persons.
- C. Provide for the rapid and orderly rehabilitation of persons and restorations of property.
- D. Provide cooperation and coordination of activities relating to emergencies between officials of this Town with local, state and federal governments, interstate agencies, and with private and quasi-official organizations.
- E. This Chapter will not relieve any Town department of the moral responsibilities or authorities given to it in the Town Charter or by local ordinances. It will not adversely affect the work of any volunteer agencies organized for relief in disaster emergencies.

### Section 3-6.2 Emergency Management Structure

The Town of Mount Pleasant will utilize the incident command system for the command, control, and coordination of its emergency response. The incident command system (ICS) is a component of the National Incident Management System (NIMS).

### Section 3-6.3 Emergency Manager Responsibilities

The Town's emergency management function will be under the control of a staff position reporting to the Town Manager and will exercise those powers and duties described below. The Town will coordinate activities with Cabarrus County Emergency Management.

- A. Coordination of the activities of all Town departments for emergency management within the incorporated limits, including planning, organizing, staffing, equipping, training, testing, and activating emergency management programs.
- B. Preparation and maintenance of Town plans for emergencies. These plans or parts thereof may be incorporated into policies.
- C. Coordinate with public and private agencies to address emergency preparedness needs.
- D. Coordinate available resources to augment the personnel and facilities of the Town for emergency management.
- E. Assist Town administration with the preparation of declarations, policies and regulations as necessary or appropriate.

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- F. Coordinate information and resources for hazard risk management, including conducting hazard risk analysis and establishing and maintaining the annual hazard risk analysis program.
- G. Research and coordinate various grant funds provided for emergency management purposes.
- H. Opening the emergency operations center and supporting Town incident command posts.
- I. Make recommendations, as appropriate for zoning, building, and other land-use/occupancy use controls and safety measures to protect against or mitigate the effects of an emergency.
- J. Coordinate planning of occupancies storing, manufacturing or handling hazardous material, maintain plans, and act as a liaison between private industry and Town government.
- K. Coordinate municipal mutual aid planning, implementation and resource procurement to support emergency response and recovery.
- L. Conduct public education to assist in emergency preparedness; and
- M. Perform other duties as provided by ordinance or delegated by the Town Manager.

**CHAPTER 7: EMERGENCY MEDICAL SERVICES**

**Section 3-7.1 Services provided by Cabarrus County**

Emergency medical services within the Town shall be provided by Cabarrus County Emergency Medical Services.